

Construction disputes

We offer assistance to legal counsel, owners, general contractors, and subcontractors in all issues related to construction disputes:

- Issue and Schedule Analysis
- Identification of the best data to seek or provide in an Examination for Discovery
- Quantification of losses resulting from delay, disruption, design deficiency, acceleration, loss of productivity, differing site conditions, changed work, and breach of contract
- Forensic accounting investigations involving cost allocation
- Facilitation of settlements and Alternative Dispute Resolution
- Expert testimony
- Critiques of opposing expert reports
- Cross-examination assistance



We can provide

- Senior experts with in-depth knowledge of industry practices, risk evaluation, dispute prevention and resolution techniques, and with reputations for professional integrity
- A base of experienced and well trained accountants, with established access to engineers, estimators and project managers
- Experience in assisting both plaintiffs and defendants with no perceived bias in the marketplace
- Reports that are coherent and transparent

Samples of experience

- A provincial government retained us to review a \$650-million entertainment project that had experienced significant cost overruns. The contract involved determining why the project was significantly over budget, reviewing the tendering and procurement process, and ensuring that there were no inappropriate construction costs. We concluded that while there was no misappropriation of funds, the project management was out of control. The project director was dismissed, and a proper system of controlling project costs was initiated.
- The federal government engaged us to review, investigate, and advise on a general contractor's claim for delay and excess costs on a \$1-billion-plus infrastructure project. Our findings led to a challenge of the reasonability of a number of the costs included in the claim.
- A mechanical contractor engaged us to calculate the economic losses resulting from delays experienced during the performance of its contract with the general contractor at a major infrastructure project. Subsequent to our review, a satisfactory resolution was achieved at mediation.
- A real estate development company retained us to quantify its loss of profits as a result of being deprived of the right to acquire and develop a residential condominium. Our conclusions supported the reasonability of our client's proposed budget for the project.
- Our client engaged us to investigate the billing practices of a contractor who had been hired to perform construction activities in a multi-year "cost plus" contract. Despite the fact that some important documents were missing, we were able to identify a substantial level of excess billing.

When should you contact us?

Every construction project holds an inherent set of risks. Unanticipated problems can lead to disputes characterized by terms such as ill-defined scope, interference, delay, and disruption.

Our team can assist counsel and clients at all stages of the dispute resolution process, from project control and pre-emptive service through to negotiation and settlement or litigation.

For more information, please contact:

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